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09/826,357	06/14/2000	Ralf Haferbeck	P00,1277	3957

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EXAMINER

ODLAND, DAVID E

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 03/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/826,357

Applicant(s)

HAFERBECK ET AL.

Examiner

David Odland

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 is objected to because of the following informalities:

Claim 1 recites that the server switching unit has an 'output switching unit' (see line 11), however, it appears from the specification, on page 7 line 10, that the server switching unit has a output 'processing unit' and not an 'output switching unit'.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "...said interface..." in the last line of the claim. It is unclear which interface is being referred to since there are a plurality of interfaces previously recited in the claim.

Claim 2 recites "...said interface..." in line 1. It is unclear which interface is being referred to since there are a plurality of interfaces previously recited.

Claim 4 recites "...for completion of a remainder of said AAL2 packet..." in lines 5 and

6. It is unclear what is being completed.

Claims 2-4 are also rejected because they depend on claim 1.

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1,3 and 4, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Dempo (USPN 6,594,267), hereafter referred to as Dempo.

Referring to claim 1, Dempo discloses ATM switching equipment (a variable length packet interchange, hereafter referred to as the 'interchange' (see item 1 figure 1)) comprising a switching network (the interchange comprises a network (see figure 4)), an input interface unit containing an input processing unit (the interchange comprises a plurality of interfaces (see item 10 in figure 4)), an output interface unit containing an output processing unit (the interchange comprises output interfaces (see item 27 in Figure 4)), a microprocessor (the interchange has an associated CPU (see item 4 in figure 1)), a server switching unit (the interchange comprises a selector (see item 11 in figure 4)) comprising an AAL2 switcher that is connected to the switching network via an interface (the selector has a selector section connected to the rest of the interchange (note, the entire system in Dempo involves processing AAL2 cells) (see item 11a in figure 6)), an input processing unit to which said AAL2 switcher is connected (the selector has a buffer control section (see items BC1-BC8 in figure 6)), and an output switching unit to which said AAL2 switcher is connected (a CPS-PDU transmission section (see item 11b in figure 6)),

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said switching equipment being configured to write a new VPI/VCI information for a further connecting section into cells of arriving data streams upon utilization of routing tables (the interchange performs header conversion of the VCI and VPI values using a routing table (see item 22 in figure 4, items 4 and 5 in figure 1, figure 5 and column 1 lines 45-67)), said AAL2 switcher being configured for simultaneous processing of a maximum plurality of incoming connections (the selector section has a plurality of inputs that make up a plurality of connections thus it is performing simultaneous processing of those connections (see figure 6)), an AAL2 routing list being provided for each of said incoming connections (there is a routing list associated for each incoming ATM connection depending on the associated VPI and VCI of the connections (see item 22 in figure 4, items 4 and 5 in figure 1, figure 5 and column 1 lines 45-67)) and said microprocessor being configured to limit an allowable value range for VPI/VCI values in a header of ATM cells according to a plurality of said AAL2 routing lists, so that said interface only considers corresponding VPI/VCI coding bits (inherently, the number of bits that represent the VPI and VCI values is limited to a certain number, therefore there is only a range of values that the VPI and VCI can possible be (see figure 5)).

Referring to claim 3, Dempo discloses the system discussed above. Furthermore, Dempo discloses a single virtual path is established between said switching network and said server switching unit (the selector is part of the interchange network as shown in figure 4 and since multiple paths through the network exist a single path also exists (i.e. there are numerous single virtual paths between the selector and switching network in Dempo))

Referring to claim 4, Dempo discloses the system discussed above. Furthermore, Dempo discloses buffer memories, which are allocated to said routing lists (a buffer storing a table is

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allocated to routing header information (see item 5 in figure 1 and figure 2 and 5)), a section of an AAL2 packet of an ATM cell being writeable into said buffer memories (the table in dynamic and thus it can be updated according to the VCI and VPI values of the incoming ATM headers (see item 5 in figure 1 and figure 2 and 5)), and said section being readable from said buffer memories when processing a next-successive ATM cell (the processing done using the routing table is continuous therefore the next incoming cell will also be processed by reading the table and writing the corresponds header values (see item 5 in figure 1 and figure 2 and 5)) and for completion of a remainder of said AAL2 packet (inherently, the current cell being processed will be completed with its associated header so that it can be forwarded on to the destination (see item 5 in figure 1 and figure 2 and 5)).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 2, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Dempo.

Referring to claim 2, Dempo discloses the system discussed above. Dempo does not disclose that the interface is a UTOPIA interface. However, the present application points out on page 5 lines 15-17 that UTOPIA is a standardized protocol that is well proven for connecting

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AAL2 switchers to switching networks. For these reasons it would have been obvious to one skilled in the art at the time of the invention to implement this feature in the system of Dempo.

*Conclusion*

8. The following prior art, which is made of record and not relied upon, is considered pertinent to applicant's disclosure:

- a. U.S. Patent Number 6266343 to Caves.
- b. U.S. Patent Number 6289016 to Subbiah et al.
- c. U.S. Patent Number 6449276 to Subbiah et al


Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Odland, who can be reached at (703) 305-3231 on Monday – Friday during the hours of 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached at (703) 305-4744. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, who can be reached at (703) 305-4750.

deo

March 4, 2004

  
JOHN PEZZLO  
PRIMARY EXAMINER